

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF NEW YORK

BRUNO MAZZEO UNUM,

Plaintiff,

-against-

1:09-CV-1420 (LEK/RFT)

UNITED STATES DEPARTMENT OF
HOUSING AND URBAN DEVELOPMENT
DISTRICT OF COLUMBIA, *et al.*,

Defendants.

DECISION AND ORDER

This matter comes before the Court following a Report-Recommendation filed on January 14, 2010 by the Honorable Randolph F. Treece, United States Magistrate Judge, pursuant to 28 U.S.C. § 636(b) and L.R. 72.3 of the Northern District of New York. Report-Rec. (Dkt. No. 3). After thirteen days¹ from the service thereof, the Clerk has sent the entire file to the undersigned, including the objections by Plaintiff Mazzeo Unum ("Plaintiff"), which were filed on February 3, 2010. Objections (Dkt. No. 5).

It is the duty of this Court to "make a de novo determination of those portions of the report or specified proposed findings or recommendations to which objection is made." 28 U.S.C. § 636(b). "A [district] judge... may accept, reject, or modify, in whole or in part, the findings or recommendations made by the magistrate judge." *Id.* This Court has considered the objections and has undertaken a de novo review of the record and has determined that the Report-Recommendation

¹The court will accept Plaintiff's objections as timely as the court has the duty to show liberality toward pro se litigants. See Nance v. Kelly, 912 F.2d 605, 606 (2d Cir. 1990) (per curiam).

should be approved for the reasons stated therein.

Accordingly, it is hereby

ORDERED, that the Report-Recommendation (Dkt. No. 3) is **APPROVED** and **ADOPTED** in its **ENTIRETY**; and it is further

ORDERED, that Plaintiff's Motion to proceed with this action *in forma pauperis* (Dkt. 2) is **GRANTED**; and it is further

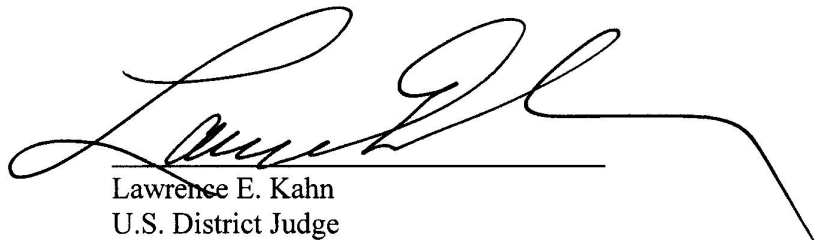
ORDERED, that, given Plaintiff's *pro se* status, **Plaintiff shall be afforded an opportunity to amend his Complaint within 30 days** such that it complies with Rules 8 and 10 of the Federal Rules of Civil Procedure and alleges actionable claims of misconduct or wrongdoing against Defendants; and it is further

ORDERED, that should Plaintiff fail to so amend his Complaint this action shall be **DISMISSED** without further order of the Court; and it is further

ORDERED, that the Clerk serve a copy of this Order on Plaintiff by regular mail.

IT IS SO ORDERED.

DATED: February 08, 2010
Albany, New York



Lawrence E. Kahn
U.S. District Judge